

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,

Plaintiff,

-against-

THE CITY OF NEW YORK, DEPUTY CHIEF MICHAEL MARINO, Tax Id. 873220, Individually and in his Official Capacity, ASSISTANT CHIEF PATROL BOROUGH BROOKLYN NORTH GERALD NELSON, Tax Id. 912370, Individually and in his Official Capacity, DEPUTY INSPECTOR STEVEN MAURIELLO, Tax Id. 895117, Individually and in his Official Capacity, CAPTAIN THEODORE LAUTERBORN, Tax Id. 897840, Individually and in his Official Capacity, LIEUTENANT JOSEPH GOUGH, Tax Id. 919124, Individually and in his Official Capacity, SGT. FREDERICK SAWYER, Shield No. 2576, Individually and in his Official Capacity, SERGEANT KURT DUNCAN, Shield No. 2483, Individually and in his Official Capacity, LIEUTENANT CHRISTOPHER BROSCART, Tax Id. 915354, Individually and in his Official Capacity, LT. TIMOTHY CAUGHEY, Tax Id. No. 885374, Individually and in his Official Capacity, SERGEANT SHANTEL JAMES, Shield No. 3004, Individually and in her Official Capacity, SERGEANT RICHARD WALL, Shield No. 3099, Individually and in his Official Capacity, SERGEANT ROBERT W. O'HARE, Tax Id. 916960, Individually and in his Official Capacity, SERGEANT SONDRAL WILSON, Shield No. 5172, Individually and in her Official Capacity, LIEUTENANT THOMAS HANLEY, Tax Id. 879761, Individually and in his Official Capacity, CAPTAIN TIMOTHY TRAINOR Tax Id. 899922, Individually and in his Official Capacity, and P.O.'s "JOHN DOE" #1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown) (collectively referred to as "City Defendants"), FDNY LIEUTENANT ELISE HANLON, individually and in her official capacity as a lieutenant with the New York City Fire Department, JAMAICA HOSPITAL MEDICAL CENTER, DR. ISAK ISAKOV, Individually and in his Official Capacity, DR. LILIAN ALDANA-BERNIER, Individually and in his Official Capacity and JAMAICA HOSPITAL MEDICAL CENTER EMPLOYEE'S "JOHN DOE" # 1-50, Individually and in their Official Capacity (the name John Doe being fictitious, as the true names are presently unknown),

Defendants.  
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**ORDER OF  
WITHDRAWAL AND  
VOLUNTARY  
DISMISSAL OF  
CERTAIN CAUSES OF  
ACTION**

10-CV-6005 (RWS)

**WHEREAS**, plaintiff commenced this action by filing a Complaint on or about August 10, 2010, in the Southern District of New York, by filing an Amended Complaint on September 13, 2010, and by filing a Second Amended Complaint on October 3, 2012, alleging violations of his rights under New York State law and Federal law pursuant to 42 U.S.C. § 1983; and

**WHEREAS**, plaintiff, in his Memorandum of Law dated December 4, 2014, has requested leave of the Court to withdraw certain causes of action and parties from his Second Amended Complaint;

**NOW, THEREFORE, IT IS HEREBY ORDERED**, as follows:

1. Any and all claims for “Deprivation of Rights Under 42 U.S.C. § 1983,” as defined in Plaintiff’s First Claim for Relief, referred to throughout the Second Amended Complaint, brought against the City of New York, Deputy Chief Michael Marino, Assistant Chief Gerald Nelson, Captain Theodore Lauterborn, Lieutenant William Gough, Sergeant Frederick Sawyer, Sergeant Kurt Duncan, Lieutenant Christopher Broschart, Lieutenant Timothy Caughey, Lieutenant Shantel James, Sergeant Richard Wall, Sergeant Robert W. O’Hare, Sergeant Sondra Wilson, Lieutenant Thomas Hanley, Captain Timothy Trainor, and FDNY Lieutenant Elise Hanlon, and Deputy Inspector Steven Mauriello, as well as any and all present or former employees of the City of New York, their successors or assigns and all past and present officials, employees, representatives and agents of the City of New York are dismissed with prejudice, and without attorneys’ fees or costs to any party, pursuant to Fed. R. Civ. P. 41(a).

2. Any and all causes of action brought against defendants Sondra Wilson, Richard Wall, Robert O'Hare, and Thomas Hanley, referred throughout the Second Amended Complaint, are withdrawn with prejudice and without attorneys' fees or costs to any party, pursuant to Fed. R. Civ. P. 41(a).

Dated: New York, New York.

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**SO ORDERED:**

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Honorable Robert W. Sweet  
United States District Judge